

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DORIAN WAINER,)
)
 Plaintiff,)
)
 v.) Civil Action No. 07-247-***
)
 DIRECTOR MRS. HERR and)
 CIVIL GENICS COMPANY,)
)
 Defendants.)

FILED
U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2007 JUL 17 PM 12:42

ORDER


At Wilmington this 17 day of July, 2007;

On June 27, 2007, the court ordered plaintiff, Dorian Wainer, to show cause why he did not submit the authorization form as ordered in the court's May 17, 2007 order so that the agency (i.e., Sussex Correctional Institution) having custody of him could forward payments from his prison account to the clerk of the court, and why he should be relieved of the statutory requirements under 28 U.S.C. § 1915(b). (D.I. 7.)

Rather than comply with the show cause order, plaintiff submitted an affidavit that his parents have agreed to make small payments each month until the filing fee is paid in full. (D.I. 8.) The Clerk's Office does not accept partial filing fee payments unless the payments are for prisoners who proceed *in forma pauperis* **and** the payments are from the agency having custody of the prisoner as allowed under 28 U.S.C. § 1915(b).

IT IS ORDERED that plaintiff shall, within 30 days from the date of this order, either pay the \$350.00 filing fee in full or return the authorization form as previously ordered. **Failure to comply with this order shall result in the transfer of this case**

to a U.S. District Court Judge for dismissal.



Honorable Mary Pat Thyne
U.S. Magistrate Judge